

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS SKÖLD,
Plaintiff,

v.

GALDERMA LABORATORIES, L.P.;
GALDERMA LABORATORIES, INC.;
and GALDERMA S.A.,
Defendants.

CIVIL ACTION

NO. 14-5280

REVISED ORDER

AND NOW, this 17th day of April, 2015, upon consideration of Defendants Galderma Laboratories, L.P. and Galderma Laboratories, Inc.'s Motion to Dismiss and Motion to Stay Pending the Outcome of the Administrative Proceeding [ECF No. 22], Plaintiff Thomas Sköld's Response in Opposition thereto [ECF No. 29], and Galderma L.P. and Galderma Inc.'s Reply [ECF No. 33]; Defendant Galderma S.A.'s Motion to Dismiss and Motion to Stay Pending the Outcome of the Administrative Proceeding [ECF No. 36], the Plaintiff's Response in Opposition thereto [ECF No. 38], and Galderma S.A.'s Reply [ECF No. 46]; the parties' supplemental briefing on the Plaintiff's unfair competition claim [ECF Nos. 54 & 55]; and oral argument on March 19, 2015, and for the reasons provided in the Court's revised opinion of April 17, 2015 [ECF No. 56],

IT IS ORDERED that:

- (1) Defendant Galderma S.A.'s motion to dismiss the breach of contract claim in Count Five is **GRANTED**; Count Five of the Complaint shall be **DISMISSED WITH PREJUDICE** as to Defendant Galderma S.A.;
- (2) Defendants' Galderma Laboratories, Inc.'s motion to dismiss the unjust enrichment claim in Count Six is **GRANTED**; Count Six of the Complaint shall be **DISMISSED WITH PREJUDICE** as to Defendant Galderma Laboratories, Inc.;

- (3) Defendants' motions to dismiss the unfair competition claim in Court Four are **GRANTED IN PART**; to the extent the Plaintiff bases his unfair competition claim on the Defendants' alleged failure to revert the trademark to him based on the terms of the parties' agreement, the claim is **DISMISSED WITH PREJUDICE** as to all Defendants on those grounds; the motions to dismiss this claim are otherwise **DENIED**;
- (4) Defendants' motions to dismiss for failure to state a claim are otherwise **DENIED**;
- (5) Defendants' motions to stay are **DENIED AS MOOT**; and
- (6) Defendant Galderma S.A.'s motion to dismiss for lack of personal jurisdiction is **DENIED**.

BY THE COURT:

/S/WENDY BEETLESTONE, J.

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